REMARKS

The application has been reviewed in light of the Office Action dated November 22, 2005. Claims 1-13 are pending in this application, with claims 1, 12 and 13 being in independent form. Claim 7 has been withdrawn from consideration. By the present Amendment, claims 11and 13 have been amended to correct formal matters not effecting the scope of the claims. It is submitted that no new matter has been added and no new issues have been raised by the present Amendment.

The disclosure was objected to because of several formal matters. In addition, the drawings were objected to because the specification allegedly included elements not referenced in the drawings. In response, the specification has been amended to attend to these formal matters. Withdrawal of the objections to the disclosure and drawings is respectfully requested.

Claim 11 was rejected under 35 U.S.C. 112, second paragraph, as allegedly indefinite. In response, claim 11 has been amended to even more clearly define the claim language. Withdrawal of the rejection of claim 11 under Section 112, second paragraph, is respectfully requested.

Claim 1-12 were rejected under 35 U.S.C. 102(b) as allegedly anticipated by U.S. Patent 5,762,328 to Yamada et al. Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits independent claims 1 and 12 are patentably distinct from the cited art, for at least the following reasons.

Independent claim 1 relates to a sheet processing apparatus, comprising a first roller pair conveying a sheet received from an external apparatus, a second roller pair conveying the sheet conveyed from the first roller pair, a jogging tray configured to receive the sheet conveyed from

the second roller pair and jog the received sheet and a binding device configured to bind a stack of sheets received and jogged by the jogging tray. The second roller pair can be driven to rotate such that sheets received from the external apparatus and conveyed by the first roller pair one after another are pinched by the second roller pair one after another while being overlapped one upon another with leading edges thereof shifted stepwise one after another and are held by the second roller pair to be further conveyed to the jogging tray.

Yamada et al., as understood by Applicant, relates to a mechanism for conveying a bound recording paper bundle toward a paper discharging tray. The upper roller pair 4 of Yamada et al. (described in the Office Action as corresponding to the second roller pair of Applicant's present disclosure) merely convey the recording paper that has been guided into the conveying path to the stapling apparatus 11 (e.g., see Fig. 1 and column 4, line 54-63).

In contrast, the present disclosure relates to a mechanism for holding sheets that are received from an external apparatus when a previously received set of sheets are being jogged and bound to be further conveyed to a jogging tray and for conveying the held sheets to a jogging tray after completion of binding of the previously received set of sheets. In particular, Applicant finds no teaching or suggestion in Yamada et al. that the second roller pair can be driven to rotate such that sheets received from the external apparatus and conveyed by the first roller pair one after another are pinched by the second roller pair one after another while being overlapped one upon another with leading edges thereof shifted stepwise one after another and are held by the second roller pair to be further conveyed to the jogging tray, as recited in independent claim 1.

Accordingly, Applicant submits independent claim 1 is patentably distinct from the cited art. Independent claim 12 is believed to be patentably distinct from the cited art for at least similar

reasons.

In addition, as understood by Applicant, the curve in the conveying path after the lower conveying roller 4 (Fig. 1) of Yamada et al. (described in the Office Action as a bulging device arranged at the conveying path), is merely for directing the recording paper conveyed by the upper and lower rollers 4 to the paper feeding roller 6 so as to be discharged to the staple tray 21.

However, Applicant finds no teaching or suggestion in Yamada et al. of a bulging device configured to cause each of the sheets conveyed by the first roller pair one after another to bulge toward the open area when pinched by the second roller pair so that a trailing edge thereof retreats from the conveying path to be discharged into the open area, as recited in dependent Claim 6.

Independent claim 13 was rejected under 35 U.S.C. 103(a) as allegedly obvious from U.S. Patent 6,491,492 to Cook in view of Yamada et al. Applicant has carefully considered the Examiner's comments and the cited art, and respectfully submits independent claim 13 is patentable over the cited art, for at least the following reasons.

Independent claim 13 relates to a sheet processing method, comprising receiving a sheet conveyed from an external apparatus at a speed, conveying the received sheet with a first roller pair at a circumferential speed corresponding to the speed, conveying the sheet conveyed from the first roller pair with a second roller pair at the circumferential speed corresponding to the speed, receiving the sheet conveyed from the second roller pair and jogging the received sheet with a jogging tray and binding a stack of sheets received and jogged by the jogging tray. When the binding step is being performed, the second roller pair rotates at a decreased circumferential speed so that sheets received from the external apparatus and conveyed by the first roller pair one

after another are pinched by the second roller pair one after another while being overlapped one upon another with leading edges thereof shifted stepwise one after another and are held by the second roller pair to be further conveyed to the jogging tray.

Cook, as understood by Applicant, relates to a method for batch feeding sheets. The speed of sheets is slowed down by the nip roll to reduce bruising and buckling of the sheets. The trailing end of a dropped sheet is overlapped by a leading end of the next upstream sheet to maintain control of the dropped sheet as it drops onto the table (Column 1, line 30-35). Specifically, the sheet conveyed from the rollers associated with the sheet feeding conveyor 14 (which allegedly corresponds to the first roller pair as recited in claim 13 of Applicant's disclosure) at a speed is conveyed by the nip rollers 18 (which allegedly correspond to the second roller pair as recited in claim 13 of Applicant's disclosure) at a slower speed to be dropped on the table (Column 2, line 36-38). That is, as understood by Applicant, in Cook, the sheet conveyed from the first roller pair at a speed is conveyed with the second roller pair at a slower speed to be received by the table.

In contrast, the present disclosure relates to a method for sheet processing (e.g., for receiving sheets from an external apparatus and jogging and binding the received sheets). In particular, Applicant finds no teaching or suggestion in the cited art of receiving a sheet conveyed from an external apparatus at a speed, conveying the received sheet with a first roller pair at a circumferential speed corresponding to the speed and conveying the sheet conveyed from the first roller pair with a second roller pair at the circumferential speed corresponding to the speed, wherein when the binding step is being performed, the second roller pair rotates at a decreased circumferential speed so that sheets received from the external apparatus and conveyed by the first roller pair one after another (e.g., when the previously received set of sheets is being bound) are

pinched by the second roller pair one after another while being overlapped one upon another with leading edges thereof shifted stepwise one after another and are held by the second roller pair to be further conveyed to the jogging tray, as recited in independent claim 13.

Accordingly, Applicant submits independent claim 13 is patentable over the cited art.

The Office is hereby authorized to charge any additional fees that may be required in connection with this amendment and to credit any overpayment to our Deposit Account No. 03-3125.

If a petition for an additional extension of time is required to make this response timely, this paper should be considered to be such a petition, and the Commissioner is authorized to charge the requisite fees to our Deposit Account No. 03-3125.

If a telephone interview could advance the prosecution of this application, the Examiner is respectfully requested to call the undersigned attorney.

Entry of this amendment and allowance of this application are respectfully requested.

Respectfully submitted,

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